

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

In Re:

JOSEPH A. ROBERTS SR.
CAROL E. ROBERTS

CASE NO. 14-01261-CPM

Debtor(s).
_____ /

TRUSTEE'S OBJECTION TO CLAIM NO. 11-1

NOTICE OF OPPORTUNITY TO OBJECT AND FOR HEARING

Pursuant to Local Rule 2002-4, the Court will consider this motion, objection, or other matter without further notice of hearing unless a party in interest files an objection within 30 days from the date set forth on the proof of service attached to this paper plus an additional three days for service. If you object to the relief requested in this paper, you must file your objection with the Clerk of the Court at 801 N. Florida Avenue, Suite 555, Tampa, FL 33602-3899, and serve a copy on the movant, Shari Streit Jansen, Esq., P.O. Box 50667, Sarasota, FL 34232-0305, Trustee; and Debtor(s) Attorney, James W Elliott, 6943 E Fowler Avenue, Tampa, FL 33617; the United States Trustee, 501 E. Polk St., Suite 1200, Tampa, FL 33602, and any other appropriate persons within the time allowed.

If you file and serve an objection within the time permitted, the Court may schedule and notify you of a hearing, or the Court may consider the objection and may grant or deny the relief requested without a hearing. If you do not file and objection within the time permitted, the Court will consider that you do not oppose the relief requested in the paper, will proceed to consider the paper without further notice or hearing, and may grant the relief requested.

NOTE TO DEBTOR(S): This objection to claim deals with an action between the Creditor who is named in the objection and the Trustee. This document is for your information only. If you feel you need additional information, please contact your own attorney. The Trustee's office (noted below) cannot provide you with any more information than is given in this statement.

SHARI STREIT JANSEN, Chapter 7 Trustee, objects to Claim No. 11-1 filed by Cerastes, LLC, upon the grounds indicated below:

Based upon the documentation provided with the claim form, the claim appears to be time barred by the applicable Statute of Limitations and thereby unenforceable against the Debtor and property of the Estate pursuant to 11 U.S. C. § 502(b)(1) of the Bankruptcy Code and should therefore be disallowed in its entirety.

WHEREFORE, the Trustee respectfully requests this Court enter an Order sustaining the Trustee's Objection to Claim No. 11-1 and disallow the same in its entirety and grant any other and further relief as this Court deems just and appropriate.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the foregoing was provided either electronically or by U.S. Mail to the **United States Trustee**, 501 E. Polk Street, Suite 1200, Tampa, FL 33602; Joseph A. Roberts Sr. and Carol E. Roberts, 2240 Cross Tee Court, Brooksville, FL 34604, Debtor(s); James W Elliott, 6943 E Fowler Avenue, Tampa, FL 33617, Counsel for Debtor(s); and to Cerastes, LLC, Attn: Larry E. Johnson, c/o Weinstein, Pinson and Riley, PS, 2001 Western Ave., Ste. 400, Seattle, WA 98121, Claimant, on December 9, 2014.

By: /s/ Shari Streit Jansen
Shari Streit Jansen, Esq.
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